

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	Chapter 11
	)	
MEDIA LODGE, INC.,	)	Case No. 20-12969 (JTD)
	)	
Media Lodge.	)	
	)	
MEDIA LODGE, INC.,	)	Adv. Pro. 21-50246 (JTD)
	)	
Plaintiff,	)	
v.	)	
	)	
GUNUP HOLDING, INC. D/B/A GUNUP,	)	
INC.,	)	
	)	
Defendant.	)	
	)	
GUNUP HOLDING, INC. D/B/A GUNUP,	)	
INC.,	)	
	)	
Counterclaim Plaintiff,	)	
v.	)	
	)	
MEDIA LODGE, INC.,	)	
	)	
Counterclaim Defendant.	)	
	)	
GUNUP HOLDING, INC. D/B/A GUNUP,	)	
INC.,	)	
	)	
Third-Party Plaintiff,	)	
v.	)	
	)	
GEMINI DIRECT, LLC,	)	
	)	
Third-Party Defendant.	)	
	)	
	)	

**MEDIA LODGE, INC.’S MOTION FOR JUDGMENT ON THE PLEADINGS  
AND TO DISMISS GUNUP HOLDING, INC.’S COUNTERCLAIM**

Plaintiff Media Lodge, Inc. (“Media Lodge”), by and through its undersigned counsel, moves (the “Motion”) (i) for judgment on the pleadings, pursuant to Federal Rule of Civil Procedure 12(c), made applicable to this proceeding by Federal Rule of Bankruptcy Procedure 7026, as to its claims against GunUp Holding, Inc. d/b/a GunUp, Inc. (“GunUp”), and (ii) to dismiss the counterclaim brought against Media Lodge by GunUp pursuant to Federal Rule of Civil Procedure 12(b)(6), made applicable to this proceeding by Federal Rule of Bankruptcy Procedure 7026. In support of this Motion, Media Lodge relies upon its Memorandum of Law in Support of its Motion for Judgment on the Pleadings and to Dismiss GunUp, Inc.’s Counterclaim (the “Memorandum of Law”), filed contemporaneously with this Motion.

WHEREFORE, for the reasons set forth in the accompanying Memorandum of Law, Media Lodge respectfully requests that this Court issue an Order granting this Motion, granting judgment on the pleadings in favor of Media Lodge, and dismissing GunUp’s counterclaim against Media Lodge with prejudice, and granting such other relief as the Court deems proper and just.

Dated: June 7, 2021

GELLERT SCALI BUSENKELL & BROWN, LLC

/s/ Michael G. Busenkell

Michael G. Busenkell (DE 3933)

Ronald S. Gellert (DE 4259)

Bradley P. Lehman (DE 5921)

1201 N. Orange Street, Suite 300

Wilmington, DE 19801

Telephone: (302) 425-5812

Facsimile: (302) 425-5814

mbusenkell@gsbblaw.com

rgellert@gsbblaw.com

blehman@gsbblaw.com